

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
EASTERN DIVISION

JERRY EUGENE WHITLEY, #227246,)
)
Petitioner,)
v.) CASE NO. 3:05-cv-427-MEF
)
J. C. GILES, *et al.*,)
)
Respondent.)

O R D E R

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

- (1) The petitioner's Objection to the Magistrate Judge Recommendation (Doc. #25) filed on October 19, 2006 is overruled;
- (2) The Recommendation of the United States Magistrate Judge entered on September 14, 2006 (Doc. #22) is adopted;
- (3) The petition for habeas corpus relief filed by petitioner is DENIED and DISMISSED with prejudice.

DONE this the 30th day of October, 2006.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE